

**From:** [Mugdan, Walter](#)  
**To:** [robert.schick@dec.ny.gov](mailto:robert.schick@dec.ny.gov)  
**Cc:** [Heitzman, George \(DEC\)](#); [Garbarini, Doug](#); [Singerman, Joel](#)  
**Subject:** Gowanus  
**Date:** Tuesday, December 29, 2015 4:08:19 PM

---

Dear Bob,

If at all possible, we would very much appreciate it if you and/or your Fulton MGP Site staff could join EPA, New York City and National Grid at a meeting on January 6 (preferred) or January 5 (if the 6<sup>th</sup> is not available).

As you know, since late October we have been in negotiations with New York City over the terms of an administrative consent order for design of the CSO tanks. The order would be the vehicle through which we direct the City to a tank location. For RH-034, the City has proposed the head-of-canal location, and that location has been endorsed by NYSDEC.

Today we met with both the City and National Grid to discuss how coordination between those two entities would occur with respect to Parcels VI and VII (the parcels that the City plans to acquire for the head-of-canal CSO tank location). It became evident during the conversation that the parties may not have a common understanding about what the NYSDEC ROD requires of Grid with respect to areas where the pre-design investigation shows MGP-related wastes to be present. All parties agreed it would be most helpful to have NYSDEC meet with us and provide an authoritative answer, rather than having the parties speculate or argue about what responsibilities your ROD does or does not impose on Grid.

We have set an ambitious time frame for completion of our negotiations with the City, which is why we seek to schedule this next meeting so quickly. It would, of course, be best if NYSDEC staff could attend the meeting in person, but a videoconference would work if travel to NYC presents a problem on the dates in question. And on those dates we can be flexible with respect to the time of day when NYSDEC would be attending the meeting.

I also left you a voicemail message on this subject.

Please give me a call at 212-637-4390 if you have questions or would like to discuss this further.

Thanks, and best wishes for a happy and healthy new year!

Walter